

Service Animals, Pets and Your Business

How should I let the public know my business welcomes service animals, but otherwise do not allow pets on the premises?

To help business owners and managers in complying with applicable laws addressing service animals in public places, the Legislature [authorized](#) the Secretary of State and Governor's Commission on Disability to produce a free decal that can be displayed on the front door or window of your business. The "NOTICE" decal states "Service Animals Welcome", and that it is illegal to misrepresent a pet as a service animal." The decal includes an informational brochure for business owners or employees explaining what questions may be asked when an animal is brought onto the premises to determine if it meets the requirements of a service animal.

To request the free decal and information card, please call the Secretary of State's Corporation Information Line at 603-271-3246, or send us an email at corporate@sos.nh.gov



What law about services animals apply to my business?

[N.H. RSA Chapter 167-D](#) and [Title III of the Americans with Disabilities Act](#) focus on private businesses who provide goods or services, regardless of size. These private businesses are known as public accommodations. There are many different types of public accommodations. A few include retail stores, hotels, restaurants, theaters, dry-cleaners, banks, commercial and professional offices, museums, zoos, day care centers, senior citizen centers, health spas, bowling alleys, and golf courses.

In New Hampshire, no person shall bring any animal into any restaurant or any store that sells food, and no person shall allow any animal to enter in any store that sells food, **except for service animals**. An exception is made for a restaurant owner's properly disciplined companion dog inside his or her place of business (see [N.H. RSA 466:44](#)). For other types of businesses, the decision to allow or prohibit pets is up each individual business owner or store manager.

How do you know if a service animal is really a service animal and not just a pet?

Federal law limits the questions a business owner or employee can ask. When a person with a service animal enters a public facility or place of public accommodation, the person should not be asked about the nature or extent of their disability. Only two questions may be asked:

1. Is the animal required because of a disability?
2. What work or task has the animal been trained to perform?

If the answer to the first question is "yes" and the tasks are directly related to the person's disability, then the animal is a service animal under the ADA.

A public accommodation or facility is not allowed to ask for documentation or proof that the animal has been trained or licensed as a service animal. In addition, service animals are not required to wear a vest or tag identifying them as a service animal.

Are emotional support, therapy, comfort, or companion animals considered service animals under the ADA?

No. These terms are used to describe animals that provide comfort just by being with a person. Because they have **not** been trained to perform a specific job or task, they do **not** qualify as service animals under the ADA.

NOTE: There are organizations that sell service animal certification or registration documents online. These documents do not convey any rights under the ADA, and the U.S. Department of Justice does not recognize them as proof that a dog is a service animal.

Links and Resources

[N.H. Governor's Commission on Disability](#)

[Disability Rights Section, U.S. Department of Justice Civil Rights Division](#)